

REMARKS

This is in response to the Office Action dated February 4, 2005. Claims 1-21 are pending.

Claim 1 stands rejected under 35 U.S.C. Section 103(a) as being allegedly unpatentable over Morishita in view of Ginter and Merkle. This 3-way Section 103(a) rejection is respectfully traversed for at least the following reasons.

Claim 1 requires "a first program for controlling basic operations of said electronic apparatus so that basic operations of the apparatus are executed by controlling elements of the apparatus via the first program, and a second program that is a subroutine and is accessed in said first program so as to control an additional operation of said electronic apparatus so that the second program controls the additional operation that is different than the basic operations controlled by the first program, wherein the second program becomes available via elements of the apparatus that can execute the basic operations via the first program; a control section for implementing a desired operation by executing only said first program, or both said first and second programs; and a system managing section that, in response to a releasing key operation that renders the additional operation implementable, makes said second program accessible in said first program, and wherein said first program is accessible and operable both before and after the releasing key operation so that *one releasing key operation makes the second program accessible following said one releasing key operation*, and wherein the second program is a subroutine of the first program."

Thus, it will be appreciated that certain example embodiments of this invention relate to an electronic apparatus including a plurality of elements (e.g., a scanner, a printer, and a communication unit), where basic operations of the apparatus are executed by controlling these

elements via the first program. There is also provided a second program, which is a subroutine of the first program and with which an additional operation(s) that is different from the basic operations becomes available via element(s) that can execute the basic operations via the first program; and the second program is activated in response to a releasing key operation.

The February 4, 2005 Office Action cites to new portions of Morishita. However, the portions of Morishita indicated by the Office Action (col. 15, lines 50-67, col. 16, lines 1-67, and col. 20, lines 1-18) seem to describe a structure for protecting system resources. The system resources here possibly include, other than a memory unit and processing unit, an output device such as a display, printer or the like. In contrast, the invention of claim 1 relates to a system for simplifying an extending process when the system is extended. Thus, the cited art is entirely different than the invention of claim 1. For instance, claim 1 requires that one releasing key operation makes the second program accessible thereafter – the cited art fails to disclose or suggest this feature of claim 1 either alone or in the alleged combination.

Additionally, Merkle discloses a shareware program which merely processes data on the memory of the computer. This shareware program of Merkle is therefore not a first program that controls elements of a computer. Accordingly, the shareware of Merkle does not meet the first program aspect of claim 1. Moreover, even if the control of the functionality of the program is released, the released functionality is no more than an additional program for processing data on the memory of a computer. Thus, this released functionality is much different than the second program of claim 1 with which an additional operation(s) becomes available via elements of the apparatus that can execute the basic operations via the first program. Thus, the second program aspect of claim 1 is also not met by Merkle.

In view of the above, it can be seen that even the alleged combination of the three references (which applicant believes to be incorrect in any event) fails to meet the invention of claim 1.

Moreover, as explained previously, both Morishita and Ginter also fail to disclose or suggest a second program which is a *subroutine* of a first program, where the second subroutine program is selectively activatable via a releasing key operation, and the first program is accessible and operable both before and after the releasing key operation as required by claim 1. In other words, claim 1 requires that the second program is a subroutine of the first program, and that the second program is selectively activatable via the releasing key operation. On the other hand, the first program (which the selectively activatable second program is a subroutine of) is accessible and operable before and after such a releasing key operation. The cited art fails to disclose or suggest these aspects of claim 1, either taken alone or in combination.

The cited art fails to disclose or suggest using a release key operation to allow accessibility to a subroutine program (e.g., second program) that is provided in a main program (e.g., first program) that is accessible regardless of the release key operation. Both Morishita and Ginter fail to disclose or suggest this aspect of amended claim 1. Thus, it will be appreciated that even if the references were combined as alleged in the Office Action (which applicant believes would be incorrect in any event), the invention of amended claim 1 still would not be met.

The other independent claims also require that basic operations of the apparatus are executed by controlling elements of the apparatus via the first program, and that the second program controls an additional operation(s) that is different than the basic operations controlled by the first program, wherein the second program becomes available via elements of the apparatus that can execute the basic operations via the first program. The other independent

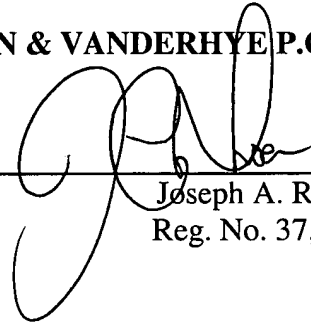
claims further also require that one releasing key operation makes the second program accessible thereafter, which again is not disclosed or suggested by the cited art. These claims further require that the second program is a subroutine of the first program. Again, the cited art fails to disclose or suggest these aspect of the other independent claims.

For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Joseph A. Rhoa
Reg. No. 37,515

JAR:caj
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100